

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:19-cv-00386

Daniel Wright,
Plaintiff,

v.

Maxey Cerliano et al.,
Defendants.

Before BARKER, *District Judge*

ORDER

On this day, the court considered the findings of fact and recommendation of United States Magistrate Judge K. Nicole Mitchell regarding plaintiff's civil rights lawsuit concerning the conditions of confinement in the Gregg County Jail.

Having conducted a proceeding in the form and manner prescribed by 28 U.S.C. §636(b)(1) and (3), the magistrate judge recommended that the lawsuit be dismissed without prejudice for failure to exhaust administrative remedies. Doc. 16. The plaintiff received a copy of this report on April 22, 2020. Doc. 17. No objections have been filed. Upon review, the court finds no clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc) (cleaned up).

Therefore, the findings of fact and recommendation of the magistrate judge are **adopted** as the opinion of the court. Furthermore, defendants' motion for summary judgment (Doc. 15) is **granted**, and the above-styled civil action is **dismissed without prejudice** for failure to exhaust administrative remedies. Any other motions which may be pending in this civil action are hereby **denied as moot**. The clerk of court is **directed** to close the case.

So ordered by the court on May 27, 2020.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge